

Council/Agency Meeting Held: _____			
Deferred/Continued to: _____			
<input type="checkbox"/> Approved	<input type="checkbox"/> Conditionally Approved	<input type="checkbox"/> Denied	
		City Clerk's Signature _____	
Council Meeting Date:	February 22, 2005	Department ID Number:	PL05-03

## CITY OF HUNTINGTON BEACH REQUEST FOR CITY COUNCIL ACTION

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 HUNTINGTON BEACH, CA  
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**SUBMITTED TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
**SUBMITTED BY:** *Penelope Culbreth Graft*  
 PENELOPE CULBRETH-GRAFT, City Administrator  
**PREPARED BY:** HOWARD ZELEFSKY, Director of Planning *HZ*  
**SUBJECT:** APPROVE NEGATIVE DECLARATION NO. 04-02 AND GENERAL  
 PLAN AMENDMENT NO. 04-02 (BEACH BOULEVARD  
 RESIDENTIAL)

*Res. No. 2005-10*

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

### Statement of Issue:

This application represents a request by the City of Huntington Beach to amend the General Plan land use designation to match the current zoning designation for three existing residential areas along Beach Boulevard as follows:

Area A – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RMH-25 (Residential Medium High Density – Maximum 25 Dwelling Units Per Net Acre) or RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) to match the current zoning designation for properties along portions of Stark Ave., Holt Ave., MacDonald Ave., Glencoe Ave., and Alhambra Ave., west of Beach Blvd.

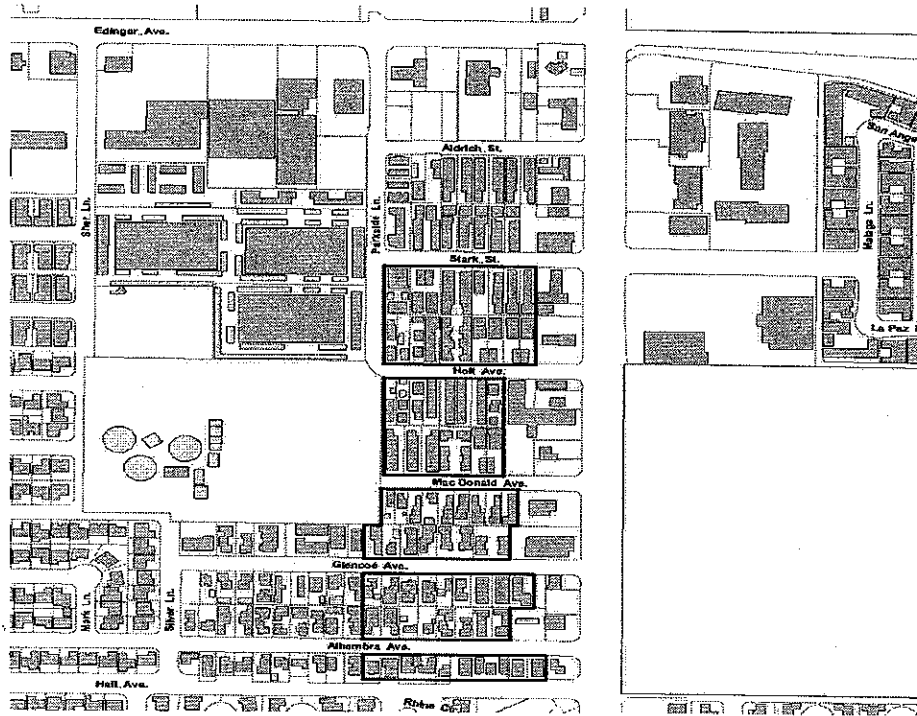
*(continued on the next page)*

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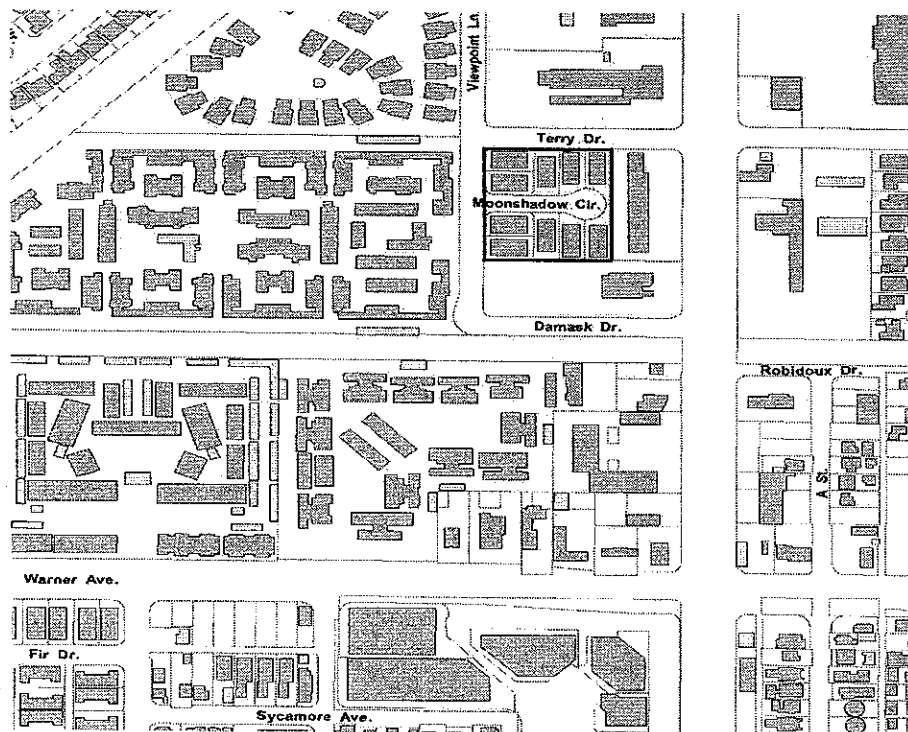
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Area B – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) to match the current zoning designation for properties south of Terry Drive, east of Viewpoint Lane, and along Moonshadow Circle.

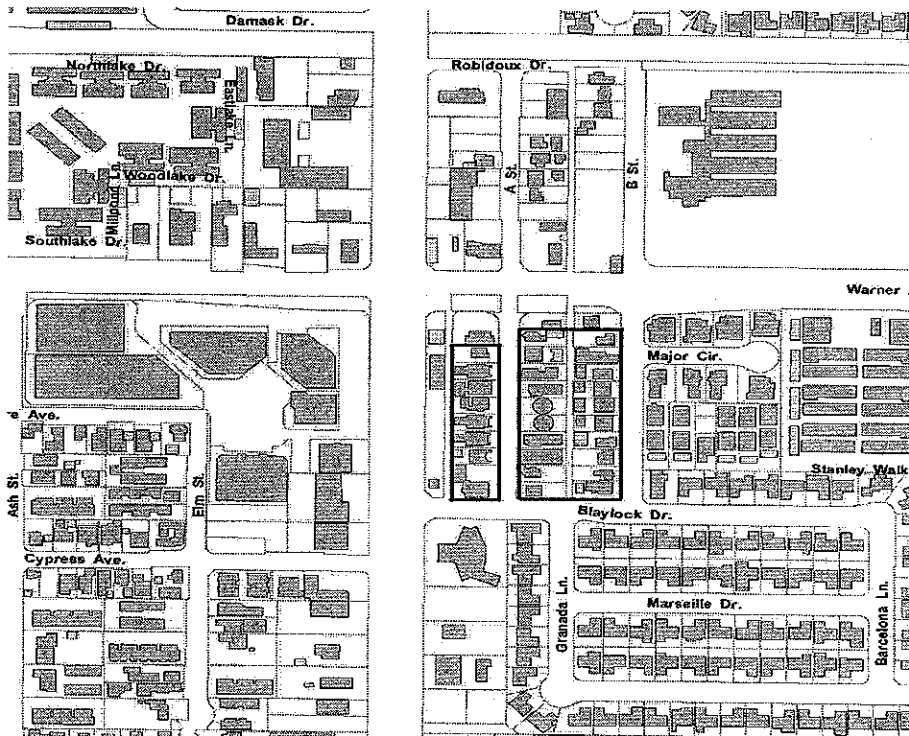


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Area C – Amend from CG-F2-a-d (Commercial General – Maximum Floor-Area-Ratio of 0.50 – Auto District Overlay – Design Overlay) to RM-15 (Residential Medium Density – Maximum 15 Dwelling Units Per Net Acre) to match the current zoning designation for properties along portions of A Street and B Street, south of Warner Ave. and north of Blaylock Drive.



The request also includes Negative Declaration No. 04-02 which analyzes the potential environmental impacts associated with the General Plan Amendment and concludes that it will not have a significant effect on the environment. Both the Planning Commission and staff are recommending approval (**Recommended Action**) because it will make the General Plan and zoning designations consistent and allow the property owners to proceed with improvements to their property.

**Funding Source:** Not applicable.

### **Recommended Action:**

### **PLANNING COMMISSION AND STAFF RECOMMENDATION:**

Motion to:

1. "Approve Negative Declaration No. 04-02 with findings (ATTACHMENT NO. 2);"
2. "Approve General Plan Amendment No. 04-02 by adopting Resolution No. 2005-10 (ATTACHMENT NO. 3)."

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### Planning Commission Action on November 9, 2004:

THE MOTION MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO APPROVE NEGATIVE DECLARATION NO. 04-02 WITH FINDINGS FOR APPROVAL CARRIED BY THE FOLLOWING VOTE:

AYES: THOMAS, SCANDURA, RAY, DINGWALL, LIVENGOOD, STILTON  
NOES: DAVIS  
ABSENT: NONE  
ABSTAIN: NONE

### MOTION PASSED

THE MOTION MADE BY LIVENGOOD, SECONDED BY DINGWALL, TO APPROVE GENERAL PLAN AMENDMENT NO. 04-02 CARRIED BY THE FOLLOWING VOTE:

AYES: THOMAS, SCANDURA, RAY, DINGWALL, LIVENGOOD, STILTON  
NOES: DAVIS  
ABSENT: NONE  
ABSTAIN: NONE

### MOTION PASSED

### Alternative Action(s):

The City Council may make the following alternative motion(s):

1. "Deny Negative Declaration No. 04-02 and General Plan Amendment No. 04-02."
2. "Continue Negative Declaration No. 04-02 and General Plan Amendment No. 04-02 and direct staff accordingly."

### Analysis:

#### A. PROJECT PROPOSAL:

Applicant: City of Huntington Beach

Location: Three areas along the Beach Boulevard corridor as stated in the Statement of Issue

Negative Declaration No. 04-02 represents a request to analyze the potential environmental impacts associated with the implementation of the proposed General Plan Amendment. The study concludes that the project will not result in significant environmental impacts.

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General Plan Amendment No. 04-02 represents a request to amend the General Plan Land Use Map for three areas along the Beach Boulevard corridor from commercial to residential to match the current zoning designation.

Additional information and individual General Plan and zoning maps for each area are provided in Attachment No. 1. The General Plan also includes a Community District and Subarea schedule which describes the intended functional role of different areas of the city. The subject areas are located within Subarea 6B (Beach Warner Area) (Attachment No. 6). If the residential General Plan land use designation is approved then the subject areas will also be removed from Subarea 6B accordingly.

### B. BACKGROUND

California State law requires that each City prepare and adopt a comprehensive long term General Plan for its future development. The plan must contain seven required elements, including land use, circulation, housing, conservation, open space, noise and safety. In addition, State law permits cities to include optional elements in their General Plans, thereby providing cities with the flexibility to address the specific needs and unique character of their jurisdiction. State law also requires that each city's daily decisions follow logically from and be consistent with the General Plan policies and goals. The General Plan includes a Land Use Map that delineates land uses such as residential, commercial, industrial and open space.

In the early 1990s the City initiated a comprehensive update of its General Plan. The new General Plan was adopted by the City Council on May 13, 1996 and created a vision for development within the City for the next 20 years. Part of the update included modifications to the Land Use Element and Map by changing the land use designation for numerous properties to fulfill various goals and policies. As a result of the General Plan land use amendments numerous properties had zoning designations that were not consistent with the General Plan designations. Under City Council direction, the City over the past few years has processed several Zoning Map Amendments to bring the zoning designation of those properties affected by the General Plan update into conformance with the General Plan.

During the General Plan update, the original concept for Beach Boulevard was to encourage nodes of dense commercial development at major intersections and allow some high density residential development to occur in selected areas along Beach Boulevard. The intent was to break up the continuous strip commercial development and help create distinctive, identifiable commercial nodes. To create this effect, staff and the General Plan Advisory Committee recommended a designation of Mixed Use Vertical (1.5 Floor-Area-Ratio; 25 dwelling units per acre of residential) for Areas A, B, and C. This would allow commercial uses to continue while permitting (but not requiring) residential development to take place. However, in order for mixed use to occur the City would have to adopt a mixed use zoning ordinance to implement this General Plan land use designation.

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The Planning Commission made the same recommendation but with a reduced residential density of 15 dwelling units per acre. The ultimate decision from the City Council was to redesignate the subject sections of Beach Boulevard to CG (Commercial General) instead of the recommendation for Mixed Use Vertical. The intent was to provide an opportunity for expansion of the retail base and commercial property tax base, local job creation, attraction/retention of targeted businesses, and provide an Auto District Overlay for possible relocation of auto dealers to form a future auto district along Beach Boulevard between Edinger and Warner Avenue.

Based on City Council direction, city staff processed Zoning Map Amendment No. 00-03 in 2000 to amend the zoning from residential to commercial for Areas A, B, and C to be consistent with the new General Plan. However, due to opposition and concern from property owners the Planning Commission and City Council denied the rezoning to commercial. The Planning Commission and City Council felt that the subject areas were established residential neighborhoods that they wanted to preserve and directed staff to amend the General Plan land use designation back to residential to be consistent with the existing zoning.

At present, the owners of the subject properties cannot construct any new structures, additions, or exterior modifications until the General Plan and zoning designations are consistent with each other. If the General Plan Amendment is approved, property owners may propose new construction subject to compliance with the General Plan, Zoning and Subdivision Ordinance, and any other city codes applicable to their property.

### C. PLANNING COMMISSION MEETING AND RECOMMENDATION:

At the November 9, 2004 Planning Commission hearing one person spoke in favor of the request. There were no speakers in opposition. In response to a question, staff indicated that in the eight years since the adoption of the General Plan in 1996 no developers have approached the City regarding redeveloping the subject residential properties into commercial development with the exception of a car dealer which has acquired an abutting residential lot. A discussion ensued as to what would happen if the subject properties were to continue to have a commercial General Plan designation. Staff replied that it would inhibit exterior modifications and expansions to the residential structures. In response to a question, staff indicated that several property owners have plans to upgrade their residential properties but are not able to until the General Plan is changed back to residential. The Planning Commission approved Negative Declaration No. 04-02 and General Plan Amendment No. 04-02 consistent with the direction given to staff by the City Council in 2000 to redesignate the subject properties back to residential.

### D. STAFF ANALYSIS AND RECOMMENDATION:

The primary issues with this request pertain to land use compatibility and loss of commercial land. The subject areas have been designated for residential use in the General Plan dating

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back to 1976, and in the zoning ordinance as far back as the 1960s and 1970s. Specifically:

- 1962 – Current residential zoning established for Area A
- 1976 – Residential General Plan designation established for all three areas
- 1977 – Current residential zoning established for Area C
- 1978 – Current residential zoning established for Area B
- 1996 – City Council amended the General Plan designation for all three areas from residential to commercial.
- 2000 – Staff processed Zoning Map Amendment for all three areas from residential to commercial to match General Plan adopted in 1996. Planning Commission and City Council denied the Zoning Map Amendment and directed staff to process General Plan Amendment from commercial back to residential.

Approval of the request to restore the residential General Plan land use designation will continue to be compatible with the area, which consists primarily of commercial uses along the Beach Boulevard frontage with residential uses behind it. It is consistent with the existing zoning and the uses established on the subject properties and will allow property owners to once again proceed with proposed improvements to their property.

A drawback to approving the request is a reduction in the amount of potentially available commercial land in the city. Providing for adequate commercial land is important to allow the city's economic base to grow and to provide employment opportunities to maintain a good jobs-to-housing balance. The General Plan currently designates the segment of Beach Boulevard from approximately Edinger Avenue to Warner Avenue as a potential district for auto dealers. Approval of the residential General Plan land use designation may make it more difficult to bring an auto sales district and other commercial uses to fruition. The properties that front on Beach Boulevard will continue to be designated commercial; however, one of the original intents of the General Plan update was to create deeper parcels for commercial areas along Beach Boulevard rather than the shallow lots that exist now. The proposed amendment would eliminate this opportunity at this time.

Presently there is a greater interest in restoring the residential General Plan land use designation. In the eight years that the subject areas have had a commercial General Plan designation no development proposals have been brought forward other than a car dealer (former Hyundai Dealer and currently Drive Time Car Sales) purchasing an adjacent residential lot in order to expand. While the subject properties are developed with mostly older structures, they are generally still in good condition and are not expected to recycle in the near future. If auto dealers and other developers desire to expand commercial use on the subject properties in the future General Plan and Zoning Map amendments can be pursued at that time. That would make it possible to once again pursue the establishment of an auto mall and any additional commercial development in the future without severely restricting the current residential uses. Based on these points, and consistent with City Council and Planning Commission direction, staff is recommending approval of the General Plan Amendment.

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### E. SUMMARY

Staff recommends approval of Negative Declaration No. 04-02 and General Plan Amendment No. 04-02 based upon the following:

- It will make the General Plan and zoning designations consistent.
- The residential General Plan land use designation is an accurate reflection of the existing uses on the subject properties and will continue to be compatible with the character of the surrounding area.
- It is consistent with the goals, policies, and objectives of the General Plan which pertain to preservation of existing residential neighborhoods, providing a range of housing units, and retaining and expanding the supply of sound housing at prices affordable to all segments of the community.
- The proposed General Plan Amendment will not have a significant effect on the environment.

**Environmental Status:** Staff prepared the environmental assessment and determined that no significant impacts are anticipated as a result of the proposed General Plan amendment. Subsequently, Negative Declaration No. 04-02 (Attachment No. 8) was prepared pursuant to Section 240.04 of the HBZSO and the provisions of the California Environment Quality Act (CEQA). The Planning Department advertised draft Negative Declaration No. 04-02 for twenty (20) days commencing on October 7, 2004 and ending on October 27, 2004. No comments, either verbal or written, were received. Prior to any action on General Plan Amendment No. 04-02, it is necessary for the City Council to review and act on the Negative Declaration. Both the Planning Commission and staff are recommending that the Negative Declaration be approved with findings.

**Attachment(s):**

*\* ATTACHMENTS AVAILABLE IN CITY CLERK'S OFFICE*

City Clerk's Page Number	No.	Description
9	1	Site Specific Information and Vicinity Maps
25	2	Suggested Findings for Approval of Negative Declaration No. 04-02
27	3	Resolution Adopting General Plan Amendment No. 04-02
38	4	Planning Commission Staff Report dated November 9, 2004
46	5	Planning Commission minutes dated November 9, 2004
54	6	Community District and Subarea Schedule and Legislative Draft of General Plan Subarea Map
57	7	Memo from the Economic Development Department dated May 28, 2004
59	8	Negative Declaration No. 04-02
82	9	PowerPoint Presentation Slides

RCA Author: R. Ramos/M. Broeren

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